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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,769	09/20/2000	Christopher John Stokes	190-1463	8733

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EXAMINER

PATEL, JAGDISH

ART UNIT PAPER NUMBER

3624

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/665,769

Applicant(s)

STOKES, CHRISTOPHER JOHN

Examiner

JAGDISH N PATEL

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MLW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6, 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This communication is in response to amendment filed 12/30/03.

Response to Amendment

2. Claims 1, 8 and 10 have been amended; claims 2 and 7 have been canceled. Claims 1, 3-6 and 8-10 are currently pending and have been examined in consideration of the amendment.

Response to Arguments

3. Applicant's arguments with respect to claims 1 have been considered but are moot in view of the new ground(s) of rejection.

Statute Cited in Prior Action

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

5. Claims 1, 3-6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshino et al. (US Pat. 5,058,009) (hereafter referred to as Yoshioto) and further in view of

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existing mortgage lending practices and further in view of Whitacre, David B. Resurrecting Special Forbearance, Mortgage Banking v53n2 PP: 85-87 Nov 1992 (hereafter Whitacre) and alternatively, further in view of Zearley, Thomas, Alternative Mortgage Instruments and Lender Risks, Bankers Magazine v164n6 PP: 61-64 Nov/Dec 1981 (hereafter Zearley).

Regarding claim 1, Yoshioto teaches a computer-implemented method for modeling loans, the method comprising:

(a) enabling a user to enter parameters relevant to a loan, the parameters including loan amount and loan term;

[refer to Fig. 1 col. 2 , L 43 - 60 (1c) "PV" (1b)"i%" "number of payments "n", refer to Fig. 3a and col. 3 L 52-68, Loan Amortization]

(c) computing repayments over due over the term of the loan based on the parameters;

(d) visually displaying information indicating the repayments due over the term of the loan.

[refer to Figure 2, showing details of computing repayments and displays in Fig. 3B - 3F which show information indicating the repayments due over the terms of the loan]

Yoshioto, fails to teach "enabling the user to specify a number of options relevant to the loan" as recited in claim 1.

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However, official notice is taken that a varieties of loan payment options have been in practice well before the time of the claimed invention as discussed in references made of record herewith. These payment options have been developed by lenders in conjunction with government agencies having control over the mortgage loan practices administered by the lending institutions. Secondly, it is recognized by the mortgage lenders that accommodating special needs of borrowers, by reasonable program standards is in the best interest of all parties.

(Whitacre, abstract). As an exemplary reference, Whitacre teaches a method of modeling loan which provides for enabling the user to specify a number of options relevant to a loan including an option of accepting reduced payments for a specified period (see p. 2 "resume normal payment..after an extended period of reduced or suspended payment). Similarly, Zearley teaches a method of practicing loan payments which include a mortgage plan whereby payments are reduced for an user specified period (initial period of the loan which inherently included a user specified start date and a user specified end date) (see Abstract).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Yoshioto in view of Whitacre or alternatively Zearley and further in view of well

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known finance practices as discussed above to have the user enabled to specify the listed options relevant to the loan, in particular, reduced payment for a user-specified period, because this would allow the users to consider a variety of options in selecting loans which would meet their specific needs and personal requirements. Additionally, providing such a loan product would appeal to and meet the needs of large segment of borrowers.

7. Claim 3 inherent to any loan analysis scenario. In particular, as discussed in Weber reference, the "buyer" are presented with various options which causes a corresponding repayment due (amortization table) to be presented to the buyer and therefore it is obvious that the buyer would select (accept or reject). Yoshioto discloses a sequence of screens as discussed in claim 1 analysis which may be used by the user as appropriate.

8. Claim 4: ..step of enabling the user to select one of a number of interest rate options (this is indicated in Yoshioto by step A1, Fig. 2).

9. Claim 5: the information indicating repayments due over the term of the loan is displayed in a visual representation..(refer to Figures 3A-3F which shows graphical display).

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10. Claim 6: enabling the user to select one of the following options for display in each month over the terms of loan ..

..(refer to Figures 3A-3F which shows graphical display in light of the section "calculation on Loan Amortization" as display functions described in col. 3-6).

11. Claim 8-10 corresponds to method claims 1-6, Since the method is implemented on a computer as discussed in above paragraphs and references made of record.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

ALTERNATIVE MORTGAGE INSTRUMENTS ARE BUILDING, SAVINGS & LOAN NEWS V98 N8 PP: 50-55 AUGUST 1977, this reference is relevant to claimed feature of reduced payments for a specified period because it teaches a loan product which is designed to reduce the payments during the user defined period (5 years).

CLYDESDALE BANK: Clydesdale Bank provides fresh stimulus to housing market

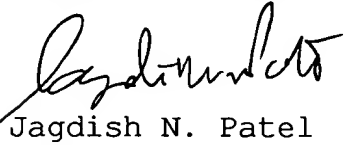
M2 Presswire, Nov 8, 1995, this reference teaches Flexible Repayment Mortgage. This mortgage loan model allows reduced payments for a period of time.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jagdish Patel whose telephone number is (703) 308-7837. The examiner can normally be reached Monday-Thursday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1038. The fax number for Formal or Official faxes to Technology Center 3600 is (703) 305-7687. **Draft faxes may be submitted directly to the examiner at (703) 746-5563.**

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113 or 308-1114. Address for hand delivery is 2451 Crystal Drive, Crystal Park 5, 7th Floor, Alexandria VA 22202.



Jagdish N. Patel

(Primary Examiner, AU 3624)

3/2/04